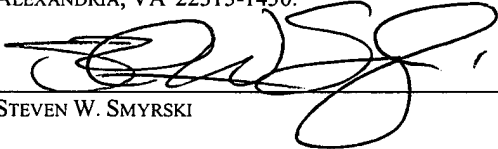




PATENT
Atty Docket No. AMO0007

I CERTIFY THAT ON DECEMBER 8, 2003, WHICH IS THE DATE I AM SIGNING THIS CERTIFICATE, THIS CORRESPONDENCE AND IDENTIFIED ENCLOSURES ARE BEING DEPOSITED IN THE UNITED STATES POSTAL SERVICE, POSTAGE PAID FIRST CLASS, IN AN ENVELOPE ADDRESSED TO: MAIL STOP MISSING PARTS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.


STEVEN W. SMYRSKI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

MARK E. STEEN ET AL.

Title: SYSTEM AND METHOD FOR
MODULATED SURGICAL PROCEDURE
IRRIGATION AND ASPIRATION

Serial No.: 10/619,088

Filed: July 14, 2003

Group Art Unit: 3739

Examiner: Unassigned

REQUEST FOR REFUND

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application," mailed October 9, 2003 ("the Notice"), and pursuant to the concurrently filed "Petition to Accord Filing Date to Utility Application" ("the Petition"), Applicants hereby request a


refund of any fee associated with according a July 14, 2003 filing date to the above-entitled application, including the \$130.00 petition fee.

The Notice indicates that sheet 19 (FIG. 18) was allegedly not filed with the application and a filing date not accorded to the application. Applicant did in fact enclose 22 sheets of drawings, including sheet 19 (FIG. 18), with the filing made on July 14, 2003. As demonstrated in the Petition, Applicant submitted the drawings in a timely manner and certified this fact according to Patent Office requirements. Applicants believe that the Petition was not required by any action or inaction of the Applicants. Applicants acted properly in all respects and submitted all required materials in a timely manner.

Applicants therefore requests a full refund of any fees charged to Deposit Account 502026, including the \$130.00 petition fee, back to Deposit Account 502026.

Respectfully submitted,

Date: December 8, 2003



Steven W. Smyrski, Esq.
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